**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
NOVU004A

In re Application of: Winters, et al.

Application No.: 10/674,035

Filed: 09/29/2003

For: Beach Restoration and Regeneration Systems, Methods and Compositions

The owner*, Novus Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,626,611 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


- expires for failure to pay a maintenance fee;
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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- is reissued; or
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,747



Signature

5/12/05

Date

Mark A. Oathout
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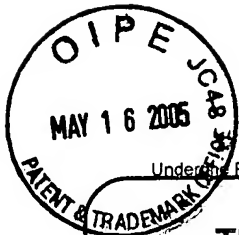
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Application Number 10/674,035

Filing Date 09/29/2003

First Named Inventor Winters, William

Art Unit 3673

Examiner Name Lee, Jong Suk

Attorney Docket Number NOVU004A

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mark A. Oathout		
Signature	<i>Mark A. Oathout</i>		
Printed name	Mark A. Oathout		
Date	5/12/05	Reg. No.	33,747

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